

**Before the  
Federal Communications Commission  
Washington, D.C. 20554**

In the Matters of	)	
	)	
IP-Enabled Services	)	WC Docket No. 04-36
	)	
E911 Requirements for IP-Enabled	)	WC Docket No. 05-196
Service Providers	)	

**SUBSCRIBER NOTIFICATION REPORT  
(September 1, 2005)  
OF PRT LARGA DISTANCIA, INC.  
FOR PHONEMAX SERVICE**

As PRT Larga Distancia, Inc. ("PRTLTD") reported in its Subscriber Notification and Acknowledgement Report dated August 10, 2005 ("August 10 Report"), PRTLTD has been providing notice of the differences between PhoneMax's limited emergency response service and traditional 911 service, and obtaining affirmative acknowledgements of those differences and limitations from its PhoneMax customers.<sup>1</sup> PRTLTD has received affirmative acknowledgements of the limitations of its emergency response service from some of its existing PhoneMax customers and is obtaining affirmative acknowledgements from all new PhoneMax customers. In addition, PRTLTD has provided 911 warning labels to all existing customers and is providing 911 warning labels to all new PhoneMax customers. The details specified in the Enforcement Bureau's Public Notice released August 26, 2005 are set out below.

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<sup>1</sup> Recently, PRTLTD amended the Phone Max customer service contract to include specific disclaimers explaining the limitations of 911 services with detail.

I. Detailed explanation regarding current compliance with the notice and warning sticker requirements if the provider did not notify and issue warning stickers or labels to 100% of its subscribers by the July 29, 2005 deadline.

A. Notice Requirement

As PRTLD informed in the August 10 Report, it has informed all PhoneMax customers of the differences between traditional E911 service and the limited emergency response service provided by PhoneMax.

As part of its efforts, on July 14, 2005 PRTLD sent an e-mail to all existing PhoneMax customers, requesting them to provide an acknowledgment of having received the same, by electronic means (August 10 Report, page 2, Exhibit 1).

In addition, since July 21, 2005 PRTLD has been calling all its existing PhoneMax customers in order to explain to them the differences between traditional E911 service and the limited emergency response service provided by PhoneMax.

Acknowledgment and acceptance of the terms and conditions of 911/E-911 services provided by PhoneMax is requested from said customers during the call. These are verified and recorded by a third party verification entity (August 10 Report, page 2, Exhibit 2).

PRTLD also sent a letter to all its existing PhoneMax customers on July 29, 2005, requesting acknowledgment and acceptance of the terms and conditions of 911/E-911 services provided by PhoneMax (August 10 Report, page 2, Exhibit 3).

For new PhoneMax customers, PRTLD has included in the web page that it has available for placing orders (<http://www.dmaxpr.com/terms.htm>.) the 911 limitations of

the PhoneMax emergency response service. The order is not processed until the customer agrees to the 911 limitations (August 10 Report, page 3, Exhibit 4).

Sales of the PhoneMax service made via telephone require the sales representative to inform the customer about the 911 limitations, and obtain the customer's acknowledgement using third party verification (August 10 Report, page 3). Customers who obtain the PhoneMax service in PRTLD's kiosks are required to sign an acknowledgment form with regards to the 911 limitations (August 10 Report, page 3, Exhibit 5).

In addition, as stated before, PRTLD has amended its customer service contract to include a specific and detailed explanation of the 911 limitations regarding the PhoneMax service.

**B. Warning Sticker Requirement**

As explained by PRTLD in the August 10 Report (page 4), on July 29, 2005 PRTLD sent two types of warning stickers to all existing PhoneMax customers, by mail. The first is designed to be placed on the telephone adapter and reads as follows:

**911 Limited Emergency Response Warning**

This phone provides a limited emergency response service when you dial 911. E911 service is currently not available. In case of an emergency, please use another phone to reach emergency services. Outside of the jurisdiction of Puerto Rico, you will not have access to a local Public Safety Answering Point (PSAP) through 911. If you have questions about the 911 limitations of the PhoneMax service, please contact us at 1-866-375-3375.

The second is designed to be placed on the telephone itself, and advises the customer as follows:

### **911 Limited Emergency Response Warning**

This phone provides a limited emergency response service when you dial 911. E911 service is currently not available. In case of an emergency, please use another phone to reach emergency services.

The letter sent to customers with the stickers instructed them to place the same on the adapter and on the telephones used for PhoneMax service.

In addition, PRTLD has been providing both types of stickers in the fulfillment materials sent to new subscribers to PhoneMax service.

2. Quantification of the percentage of PhoneMax's subscribers that have submitted an affirmative acknowledgement as of August 31, 2005 and an estimation of the percentage of subscribers from whom PRTLD does not expect to receive an acknowledgement by September 28, 2005.

As of August 31, 2005, 64% percent of PhoneMax customers have provided an acknowledgement with respect to the 911 limitations notice. PRTLD expects to obtain affirmative acknowledgment of the 911 limitations from an approximate 75% of its PhoneMax customers, by September 28, 2005.

3. Detailed description of any and all actions PRTLD plans to take towards any of its PhoneMax subscribers that do not affirmatively acknowledge having received and understood the advisory.

PRTLD continues with its efforts to reach out to its PhoneMax customers and obtain their affirmative acknowledgement of the 911 limitations regarding the PhoneMax service.

PRTLD plans to contact any remaining customers who have not provided an affirmative acknowledgement of the 911 limitations notice by sending a second e-mail on September 23, 2005.

In addition, PRTLD will continue its efforts to reach each PhoneMax customer via telephone in order to obtain their affirmative acknowledgment of the 911 limitations through third party verification. The period in which calls are made has been extended to include the hours from 5:00 to 8:00 PM, and to include Saturdays.

Customers that do not provide the affirmative acknowledgment by September 28, 2005, or that are in disagreement with the 911 limitations will have their PhoneMax service disconnected on September 29, 2005, through the use of the "soft disconnect" mechanism explained below.

4. Detailed description of any and all plans to use a "soft" or "warm" disconnect (or similar) procedure for subscribers that fail to provide an affirmative acknowledgement by September 28, 2005.

As stated before, PRTLD will use a "soft disconnect" mechanism with those PhoneMax customers that do not provide the affirmative acknowledgement by September 28, 2005, or that are in disagreement with the 911 limitations. The procedure to be used is the following:

- The Marketing Department will send the list of all PhoneMax customers that do not provide the affirmative acknowledgement by September 28, 2005, or that are in disagreement with the 911 limitations, to the Technical Assistant Support Division of the Advanced Network Services Department, by the end of the business day on September 28.
- The Technical Assistant Support Division will deactivate the PhoneMax service to such customers, effective September 29, through the use of a "soft disconnect" command.

- The "soft disconnect" will disallow all calls, including non-911 calls.

However, this will not constitute a service order cancellation, which conveys the lost of the telephone number by the customer, among other things. PRTLTD has examined the alternatives of permitting 911 calls through the "soft disconnect", or intercepting and sending calls to the customer service representative but the same are technically unfeasible.

- Calls made by the customers to the service representatives to inquire about the disconnection of the service, will be routed to the PhoneMax's Help Desk (provided by Coqui.Net Corporation, PRTLTD's affiliate).
- The Help Desk will provide the customer with the following methods in which he/she may provide the 911 limitations acknowledgment: (i) verbally by means of a third party verification mechanism; (ii) e-mail; or (iii) filling out a form and sending it via fax.
- Once the customer provides the 911 limitations acknowledgment, the PhoneMax service will be re-activated. The customer will receive a credit for the time he/she did not receive service.
- PRTLTD will process a service order cancellation to all those customers that do not provide the 911 limitations acknowledgement by October 31, 2005.

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Respectfully submitted, this 1st day of September, 2005.

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